

**THE LONDON BOROUGH OF HARINGEY (HIGH ROAD WEST PHASE A)
COMPULSORY PURCHASE ORDER 2023**

ACQUISITION OF LAND ACT 1981

COMPULSORY PURCHASE (INQUIRIES PROCEDURE) RULES 2007

**PROOF OF EVIDENCE
OF ALECOS TRYFONOS**

On behalf of

**Alecos Tryfonos, Kate Tryfonos, Kyriacos Tryfonos, Tryfonas Tryfonos, Maria Tryfonos and
Tryfonos Bros. Ltd (OBJ-03)**

9 October 2023

Introduction

1. The evidence which I have prepared and provide for this Inquiry in this proof of evidence is true and that the opinions expressed are my true opinions.
2. My evidence at this inquiry is submitted on behalf of Kate, Kyriacos, Tryfonas and Maria Tryfonos and Tryfonos Bros. Limited and myself, which for ease I shall refer to as my family throughout, in support of our objection to the London Borough of Haringey (High Road West Phase A) Compulsory Purchase Order 2023 and in accordance with the directions set out in the Inspector’s Note of Pre-Inquiry Meeting dated 21 July 2023.
3. Details of the ownership and occupation of our properties are included within the CPO was set out in the objection letter dated 6 March 2023 (“**the Objection Letter**”). The Objection Letter and the Statement of Case dated 24 August 2023 submitted on our behalf (“**Tryfonos SoC**”) set out the basis on which we oppose the CPO. The purpose of this proof of evidence is to provide additional details and context to supplement the Tryfonos SoC.
4. This proof of evidence considers:
 - a. the deficiencies in the negotiations and engagement by the acquiring authority (the London Borough of Haringey (“**the Council**”) and Lendlease;
 - b. the unnecessary and disproportionate effect of the CPO on our business interests, our family life, and our homes for both the inhabiting family members and for those generations to come; and
 - c. the loss to the community which would arise from the compulsory purchase of the Chick King and K&M Store Household Goods properties without the provision of suitable relocation premises.

The Tryfonos Businesses

5. The CPO includes two businesses which are the focus of this proof of evidence. These are operated as K&M Store Household Goods and Chick King.
6. K&M Store Household Goods primarily sells household good products and is run by my sister, Kate Tryfonos, and employs 3 people. This business has been operated for 32 years and is the sole source of income for Kate Tryfonos.
7. Chick King is a hot food takeaway and is run by myself and my brother Tryfonas Tryfonos, and employs 7 people. This business has been operated by our family for 42 years over 3 generations. It is the sole source of income for myself and Tryfonas. Chick King serves over 120,000 number of people in a year, is an important part of the local community, and indeed the matchday experience for many of those attending the Tottenham Hotspur Stadium.

8. The longevity of Chick King in particular and the presence of our family in the area over generations has led to us becoming active members of the local community. The relationships built with the local community in the operation of the businesses are invaluable and part of what it means to live in London. Our businesses are also the means of supporting our family.

Negotiations and Engagement

9. The following paragraphs explain that negotiations to acquire our properties by agreement had barely begun when the CPO was made, and that the Council has made only limited attempts to engage with us between the granting of the Planning Permission and the making of the CPO.
10. My understanding is that community engagement relating to the hybrid planning permission (HGY/2021/3175) granted on 31 August 2022 (“the Planning Permission”) began in 2018. The CPO was made on 26 January 2023. The following engagements between my family and Lendlease and/or the Council were held with the acquiring authority:

	Date	Form	Details
Prior to making of the CPO			
1.	April 2015	In person meeting	Meeting to discuss the scheme and hypothetical sale value of properties, followed by an outline offer to acquire the properties.
2.	2 August 2018	In person meeting	For the Council to confirm Lendlease were involved and that our properties would be affected by the new scheme.
3.	28 June 2022	In person meeting	To show us the plans for the scheme and possible area of relocation. The plans were unclear, relocation proposals were uncertain and timescales involved where not confirmed.
4.	23 November 2022	In person meeting	First measurement of the Chick King premises, first one to one engagement with CBRE
5.	13 January 2023	Offer Letter 1 from CBRE to acquire Tryfonos Properties	Formal offer to acquire our properties.
After making of the CPO			
6.	31 May 2023	Offer Letter 2 from CBRE to acquire Tryfonos Properties	Formal offer following our rejection of the first formal offer in engagement 5 above

7.	11 August 2023	Offer Letter 3 from CBRE	Clarifications to Offer Letter 2
----	----------------	-----------------------------	----------------------------------

11. Over the eight year period set out above, I have always felt that our family businesses were under threat. At the same time as we were concerned with our livelihoods, five members of my family have also been under threat of losing their homes. The Council and Lendlease could not provide any comfort that our interests were being properly looked after. All of the engagement came with lots of ‘ifs’ and ‘buts’ so that our family never knew where we stood. Although this project has been coming for some time, it felt as though the Council only really started engaging with us in 2022. There was nothing of substance to discuss at the meetings in 2015 and 2018. We are both concerned and frustrated that – to this day – the Council and Lendlease have not been able to come close to providing adequate solutions for our homes and businesses.
12. As set out in Town Legal’s letters to CBRE, the success of the Chick King business in particular is dependent on footfall and its location opposite to the Tottenham Hotspur stadium. Since the design of Moselle Square and units fronting it are at such an early stage it is not possible for the Council to provide anywhere near sufficient details (for example as to location and servicing arrangements) to reassure us that the businesses would be viable if relocated. I understand that Moselle Square is not required to be delivered until the late stages of the whole scheme, and that if our businesses are relocated, they would be within a construction site even assuming that Moselle Square is developed.
13. The correspondence between the parties in relation to relocation is appended to this proof of evidence. CBRE were corresponding on behalf of the Council in its capacity as acquiring authority and Lendlease. The correspondence proceeded as follows:
- a. CBRE letter to myself dated 13 January 2023. This set out two options for acquisition of our properties: “Option 1: Acquisition of the Properties with vacant possession” and “Option 2: Acquisition of premises now but continue to operate the businesses on a rent free basis until vacant possession is required”.
 - b. CBRE letter to myself dated 31 May 2023. This letter set out further details in relation to Option 2 (above) and a revised financial offer for our properties.
 - c. Town Legal letter to CBRE dated 6 July 2023. This letter set out why the offers made to date were not acceptable.
 - d. CBRE letter to Town Legal dated 11 August 2023 which provided further clarifications as to the offer to acquire our properties.
 - e. Town Legal letter to CBRE dated 22 September 2023 which sets out our concerns with the relocation offer for the Chick King business, in summary that no offer has been put forward which is remotely fair and thus attempts to acquire the property within which Chick King operates have not been meaningful. This letter sets out the summary parameters of an offer which we could meaningfully consider: *“Chick King is willing to consider relocation within the scheme in a unit facing the football stadium conditional on planning and satisfactory servicing arrangements being*

agreed and being offered an acceptable lease (which would either be a long lease) or a lease inside the Landlord and Tenant Act 1954”.

- f. CBRE letter to Town Legal dated Friday 6 October 2023 which I have not yet had a chance to properly consider with my family and its advisors.

Our Properties

14. We have enjoyed the ownership of a tightly knit cluster of properties for decades. My sister Kate occupies a flat in the properties, as do my elderly parents. My sister is now 66 years old and my parents are 90 and 91 years old. These are three people who want to feel settled in their home life, and not have the threat of displacement hanging over them, especially when we cannot understand why the properties are needed to deliver any public benefits of the scheme.
15. We have two shops that have been empty because of the threat of the CPO. With the threat of acquisition looming, no business has been interested in occupying the shops knowing that they may be forced to relocate in a few years. This has resulted in our family losing significant commercial rental revenue.
16. We let out three flats on assured shorthold tenancies and have always tried to act as excellent landlords. This revenue has been important for the financial wellbeing of the family.
17. We have two businesses, Chick King and K&M Store Household Goods. These two businesses have been at the centre of our family life for such a long period of time, as well as being our main sources of income, our careers and our passion.
18. Our family circumstance is rare and unusual. A significant part of our family’s world, both past and present, has existed within a handful of neighbouring properties. They are the centre of our lively family existence. We had always planned for these properties to be our family’s future, into old ages and to pass down to next generations. My daughter might soon to move into the 747 High Road flat and begin her life as an independent adult within these properties.
19. The CPO has caused our family a lot of stress and pain at the thought of being dispersed. We exist off of our close geographical relationships. There is great sentimental and emotional value in our properties being grouped together, we are one family unit. My elderly parents do not want to move; our family does not want to be forced to move. Dispersing the family and the businesses destroys all the plans we have carefully cultivated over a very long period of time.
20. The years of this proposed scheme have cast a dark shadow on our lives and our families. The stress, the anxiety, the sleepless nights and the fear of the unknown of what tomorrow may bring has affected our everyday life. Our mental and physical wellbeing will never

revert back to what it was and there does not seem to be any understanding of this. We feel we have been bullied, harassed, and discriminated against because we do not have the aesthetic that is required by the developer.

21. This is not a request for money or compensation, this is about right from wrong. How is it justifiable for a huge corporate company with millions to take homes and businesses away from a local community?
22. I am aggrieved that I and my family have to go through this stressful CPO process, yet another stressful and anxiety heightening experience in order to justify the right to continue to operate our businesses and to live in the homes we own. I have been forced to spend time I want to spend with my family defending our homes and businesses. This injustice is shared by everybody in the Tottenham community who are outraged that the Council and Lendlease believe they act in this way.
23. No offer has been made in relation to the residential relocation needs to Kate, Kyriacos and Maria Tryfonos, despite such offer being made to leaseholders on the Love Lane Estate. As set out in the correspondence from Town Legal to CBRE dated 6 July, 2023, the disappointment felt *"is compounded by you stating in an email to Keith Murray dated 10 May 2023 that our clients would benefit from the Council's Estate Renewal Rehousing and Payments Policy only to state in an email dated 5 June 2023, that the Council had initially misinterpreted its own policy and that our clients would not benefit from it. The possibility of amending the policy so that it does not discriminate against our clients and others who may be affected does not appear to have been considered."*
24. Further detail in relation to the residential properties is found at paragraphs 67 to 75 of the Tryfonos SoC, which sets out how the treatment of our residential property interests has not been equal to those on the Love Lane Estate. This now appears to have been rectified by the CBRE letter of 6 October 2023.

Businesses in the Tryfonos Properties

25. As set out in the Tryfonos SoC, in respect of the Chick King business, to date no discussion, meeting or other engagement has provided a meaningful relocation offer for us to consider.

Location and Plans of the replacement Chick King Unit

26. No specific locations or detailed plans have been offered for the replacement Chick King unit, although CBRE (who I understand act for both the Council and Lendlease) has proposed that relocation could occur somewhere within Plot C2, which in the absence of detailed planning consent does not allow us to effectively evaluate the effect that relocation will have on my business.

Like-For-Like Capability

27. No offer has guaranteed the like-for-like capability of the proposed relocation unit. Any proposed relocation unit lacks the following aspects of the current Chick King Unit:
- a. vehicular access and parking to the side of the unit for the purpose of our daily deliveries, for our customers to park and for us who now enjoy our own private parking;
 - b. the rear of the unit is being used as storage and also we use 749 High Road for storage;
 - c. active frontage onto Tottenham Hotspur Football Stadium;
 - d. fit-out of the unit, as CBRE have confirmed that the unit will only be provided to shell and core, such that the relocation unit will have **no capability whatsoever** to operate as a hot food takeaway without further significant expenditure on our part; or
 - e. any offer to forward fund the fit out costs, which are required to instal equipment such as a bespoke extractor canopy, three phase wiring, bespoke fitted kitchen, signs and menu.

Uncertain Timescales

28. No reliable confirmed date for operation of the relocation unit has been provided. In correspondence with CBRE, it appears that target vacant possession of the existing Chick King Unit would be in Q1 2026. However, Plot C2, where the proposed relocation unit is to be located, is due to commence in Q4 2028 (and we note this target date has already slipped once in the course of negotiations).
29. I understand from the phasing plans that construction timescales for each phase have been removed from the plans creating uncertainty. Further detail in respect of phasing is set out in the Tryfonos SoC.
30. In the event that construction timescales do not slip further, this results in either the closure of the Chick King business for a period of at least two- and three-quarter years:
- i. Loss of employment for 5 members of the Tryfonos family and 7 jobs.
 - ii. Significant damage to the security of the future of the Chick King Business.
 - iii. Loss of reputation and goodwill.
 - iv. Loss of repeat custom.
31. Such length of closure may then result in the Chick King business becoming unviable, leading to its permanent closure. This could lead to the loss of a business which has been the focus of my business dealings, the family's financial security and the loss of a centre of family life as the business has been operated by our family for 42 years.

Details of the Relocation Offers

32. The Council and Lendlease have entirely failed to provide an offer of relocation of the Chick King Business on any reasonable specific terms (in addition to the overarching issues set out above. One proposed current relocation offer is for 5 year leases replacing the current freehold interests enjoyed by the business, which I understand means that I will not have the same security of property as I do now, as the leases will not automatically renew. Therefore, Chick King and K & M Stores would only be certain of being able to operate for a 5 year period in the proposed relocation units. This is a significant change to certainty of operations (absent the CPO) which the businesses currently enjoy; from freehold interest to a short leasehold interest which can be terminated at the landlord's discretion. Any offer of relocation received to date is therefore an offer for temporary relocation and does not consider the costs and effects on the business associated with moving twice in a 5 year period.
33. The relocation offers received to date also fail to:
- a. quantify the level of rent (other than a market rent would be offered) or service charges to be charged; or
 - b. include fit out and relocation costs.

Council Actions to Engage

34. It seems to me that the reason for the lack of engagement to date results from the Council failing to produce a business relocation strategy and the Council's dedicated officer's failings to get in touch with us and provide advice to the Chick King and K&M Stores Household Goods businesses, as set out in paragraphs 33 and 34 of the Objection Letter. In short, the appointed dedicated officer has been a tick box exercise with no substance and the officer has failed completely in performing their functions.

The Role of Chick King in the Local Community

35. The Chick King Business plays an important role in the local community. The following are examples of news coverage of the business:
- a. MyLondon wrote on 14 February 2022, collating a number of glowing on-line reviews including "This place is a big part of Tottenham (...) Be prepared the queues are always out the door which is a testament to how good the food is" and ""Been going there for a few decades, best chicken in London."¹
 - b. MyLondon wrote on 8 May 2022 "Inside Chick-King there are community elders, school kids still dressed in their blazers and ties, a bus driver who has clocked off for the day, some builders popping in for a quick pit-stop and two boys who are eyeing up the menu above the serving counter... the word 'community' echoed from the mouths of every Haringey local MyLondon spoke to... Chick-King has also

¹ <https://www.mylondon.news/whats-on/best-chicken-shop-london-people-23089647>

gone above and beyond when it comes to helping others in times of need. Alex donates meals to homeless people or to those who simply cannot afford it.”²

c. The Guardian wrote on 30 October 2013 “[the shop] has famed status among Spurs fans.”³

36. Chick King has been patronised by a large number of regular customers over a significant time period, we have seen four generations of the same families come through our doors. Whilst in part the food has brought people together, the shop provides a safe space for people to meet, create friendships and relationships that in some cases led into marriage, and for some, a place where they might have their only conversation of the day.

37. Chick King is a landmark in Tottenham an institution a local treasure, a community hub a name and a place that everybody knows in Tottenham. People come from all over London, England and the rest of the world to eat here, Chick King is also a tourist destination famous as far as South Korea. Many famous singers, celebrities and Rap artists come through our doors, to our customers we are like family or a close friend. Chick King cannot simply be reduced to only a business; it is so much more than that.

38. Chick King has been operated by our family for over forty years and our family has lived in the area for over 47 years resulting in the family becoming familiar faces and a well-known part of the local community. Our value to the community was so clearly demonstrated when during the 2011 riots the local community stood outside the shop to protect it from being vandalised.

39. Chick King has always supported local charities and has many times provided free food for local charities and community events. We have always sought to give back to the community where we can.

40. Chick King is an important feature of match days and event days at the football stadium, and there are key parts of the club’s fanbase that would be devastated to see us go.

41. Chick King services approximately 120,000 customers per year, of which we would estimate that between 85 and 90 percent are repeat customers. The shop provides much needed reasonably priced food to those in the local area, or those visiting.

42. The loss of the Chick King business will result in a loss of employment for 7 employees. We consider that the Council has failed to adequately consider the loss of employment in the construction phase of the development.

² <https://www.mylondon.news/news/north-london-news/we-not-just-fried-chicken-23882615>

³ <https://www.theguardian.com/football/2013/oct/30/tottenham-hotspur-stadium-traders-oppose-haringey>

Security and Wellbeing of the Family

43. Chick King is a central part of our family life. We have a strong emotional attachment with the shop, the business and our customers. Our family built itself up on the back of the business, we made a success of it, from the ground up. The business is a clear symbol for us of what we have achieved in our lives. It is something we can be rightfully proud of.
44. Chick King also plays a significant role in supporting the financial security of our family. It has supported us in acquiring the properties within which our family and others have lived. Such success has enabled us to acquire the properties close together so that we see each other every day. The business is my passion and takes up a lot of my time, I work long hours to ensure it remains successful. The revenue from the business supports the family financially. It should not be assumed that we can just start again or find other jobs. Chick King has taken generations to build and maintain and it is extremely unfair to leave the businesses in a worse position that it currently is as a result of the CPO. We are now of an age where we had planned on the business looking after us for the future.

Acquisition of the Tryfonos Properties

45. I understand that our properties are not required to deliver Moselle Square and so I have not understood throughout this process why our properties are being acquired. It has never been clear to me that any effort at all has been made to see if the scheme can deliver the same benefits without the use of our properties. To my mind, the same benefits can be achieved without the need for our properties and the only reason our properties are being acquired are because they don't have the right "look" for the proposed development – despite these properties being valued by the community and being part of what makes London special.
46. Even if our properties are required for Moselle Square, we don't understand why they are needed now when the development on our land will not be started for many years. The Council's statement of case suggests this is for the convenience of Lendlease. It cannot be right that the convenience of a large-scale organisation trumps the lives and livelihoods of hard-working people. Please see our statement of case for further detail.

Conclusions

47. I consider that the efforts on the part of the Council to acquire our properties by agreement have fallen far short of what we feel we should have received. Due to the nature of and the terms to the offers received to acquire our properties, the acquiring authority is yet to provide a reasonable offer.
48. The Council has failed entirely in offering support to relocate the Chick King and K&M Store Household Goods businesses.

49. Chick King plays a significant role in the local community. Its value to the community has been ignored by the Council in its engagement to relocate the business.
50. Our residential property interests have been unfairly treated in comparison with those residents of the Love Lane Estate, and the Council has failed to understand their value to our family life.
51. For the reasons set out above, I strongly urge the Inspector not to confirm the CPO in relation to our properties and in doing so, protect my family's livelihood and legacy in the local area, protect the value of Chick King to the community and to make absolutely clear that any acquiring authority must engage adequately with each and every person whose property and business interests are to be acquired and/or extinguished by virtue of compulsory purchase powers.

Alecos Tryfonos

